

1 **Marquis Aurbach Coffing**
2 Terry A. Coffing, Esq.
3 Nevada Bar No. 4949
4 Jason M. Gerber, Esq.
5 Nevada Bar No. 9812
6 Jonathan B. Lee, Esq.
7 Nevada Bar No. 13524
8 10001 Park Run Drive
9 Las Vegas, Nevada 89145
10 Telephone: (702) 382-0711
11 Facsimile: (702) 382-5816
12 tcoffing@maclaw.com
13 jgerber@maclaw.com
14 jlee@maclaw.com
15 *Attorneys for Defendants*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

In Re: LIONEL, SAWYER & COLLINS, LTD., Debtor.	Case No.: 2:17-cv-00036-GMN-NJK
	Case No.: BK-S-15-10462-MKN
	Chapter: 7
Yvette Weinstein, Chapter 7 Trustee, Plaintiff, vs. AMERICAN LEGION CHINA POST 1 – THE GENERALS WARDS & CHENNAULT & LT. HELSETH POST, a Texas nonprofit corporation; and H. OWNBY, temporary trustee of The Fischer Trust,	Adversary Proceeding: 16-01123-mkr
	<u>PROPOSED ORDER GRANTING MOTION TO WITHDRAW REFERENCE</u>
	Defendants.

23 Defendants, AMERICAN LEGION CHINA POST 1 – THE GENERALS WARDS
24 & CHENNAULT & LT. HELSETH POST, a Texas nonprofit corporation; and H. OWNBY,
25 temporary trustee of The Fischer Trust (collectively “Defendants”) by and through their
26 counsel, Marquis Aurbach Coffing, filed their Motion for Withdrawal of Reference on
27 January 4, 2017; Yvette Weinstein, Chapter 7 Trustee filed its Notice of Non-Opposition on

1 February 6, 2017; and, based on the pleadings submitted by the parties, the Court finds as
2 follows:

3 1. The Post has sought withdrawal of a bankruptcy referral in Adversary
4 Proceedings 16-01123-MKN;

5 2. The Court finds that judicial efficiency will be served by withdrawing the
6 reference;

7 3. The Court finds that the claims at issue in this case are non-core proceedings
8 as confirmed by the Trustee;

9 4. The Post would be entitled to a jury trial;

10 5. No unnecessary delay or costs will be incurred if this matter is heard by the
11 District Court;

12 6. There is no evidence or issue with forum shopping; and

13 7. The Post's request is timely pursuant to LR-5011(b);

14 Therefore the Motion is granted.

15 Dated this 12th day of April, 2017.

16 MARQUIS AURBACH COFFING Dated this 12th day of April, 2017.

SCHWARTZER & MCPHERSON

17 By: /s/ Jason M. Gerber

18 Jason M. Gerber, Esq.
19 Nevada Bar No. 9812
20 10001 Park Run Drive
21 Las Vegas, Nevada 89145
22 Attorneys for Defendants

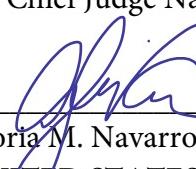
By: /s/ Jason A. Imes

23 Jason A. Imes, Esq.
24 Nevada Bar No. 7030
25 2850 So. Jones Blvd., Suite 1
26 Las Vegas, Nevada 89146
27 Attorneys for Yvette Weinstein,
Chapter 7 Trustee

ORDER

23 IT IS FURTHER ORDERED that a status conference is set for Wednesday, February
24 21, 2018, at 1:30 PM in LV Courtroom 7C before Chief Judge Navarro.

25 DATED this 7 day of February, 2018.


26 Gloria M. Navarro, Chief Judge
27 UNITED STATES DISTRICT COURT